

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

**[Docket No. 2000-NM-343-AD; Amendment 39-13108; AD 2003-07-12]**

**RIN 2120-AA64**

### **Airworthiness Directives; Boeing Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

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**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 737-100, -200, -200C, -300, -400, and -500 series airplanes, that requires inspection of landing gear parts and/or their records to see that parts have serial numbers and that each part's number of flight cycles has been tracked; assignment of serial numbers and flight cycle use numbers if necessary; and removal of individual landing gear components from service when they reach their life limit. This amendment also requires adding landing gear parts to the lists of safe-life components, and assigning life limits to landing gear parts already in service. The actions specified by this AD are intended to prevent failure of landing gear parts, which could lead to landing gear collapse. This action is intended to address the identified unsafe condition.

**DATES:** Effective May 20, 2003.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 20, 2003.

**ADDRESSES:** The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Suzanne Lucier, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 917-6438; fax (425) 917-6590.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Boeing Model 737-100, -200, -200C, -300, -400, and -500 series airplanes was published as a supplemental notice of proposed rulemaking (NPRM) in the Federal Register on September 25, 2002 (67 FR 60196). That action proposed to require inspection of landing gear parts and/or their records to see that parts have serial numbers and that each part's number of flight cycles has been tracked; assignment of serial numbers and flight cycle use numbers if necessary; and removal of individual landing gear components from service when they reach their life limit. That action also proposed to add landing gear parts to the lists of safe-life components, and assign life limits to landing gear parts already in service.

## **Comments**

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received. One commenter did not propose any changes, but asked for clarification of the meaning of certain sections in the supplemental NPRM. The FAA will provide this clarification directly to the commenter.

## **Request To Allow Disposition of Life-Limited Parts**

One commenter states that the serialization/tracking requirements specified in the supplemental NPRM are more restrictive than the requirements of section 43.10 of the Federal Aviation Regulations (14 CFR 43.10), which govern the use of all life-limited parts. The commenter reiterates paragraph (c) of that regulation, and notes that six acceptable methods are listed for deterring the installation of a part after it has reached its life limit. The commenter adds that it currently uses two of those six methods (record keeping system and mutilation) to control all life-limited parts. The commenter also adds that it scraps/mutilates many of the less expensive life-limited components at the end of every overhaul cycle, and/or when the component is removed from service in the line maintenance environment. Then only new parts are used during line replacements and gear assemblies, with documentation in place to identify all parts that are handled by this method. The commenter asks that the FAA consider revising paragraphs (a), (b), (c), (d), and (e) of the supplemental NPRM to be consistent with the existing guidance in the specified regulation, as it provides adequate assurance of airworthiness.

We do not agree with the commenter that the serialization/tracking requirements specified in the supplemental NPRM are more restrictive than those of the specified regulation. The requirements in paragraph (d) of this final rule do not specify the process the operators must use in order to remove the part from service. This final rule establishes the life limits for aircraft parts not previously tracked, whereas the regulation mandates the disposition of parts after they have reached their life limit.

## **Explanation of Change to Final Rule**

An internal review of the supplemental NPRM and the referenced service information indicates a difference between the two documents. Paragraph (b)(1) of the supplemental NPRM titled, "Assignment of Serial Numbers and Flight Cycles," requires assigning a serial number to each part per a method approved by the Manager, Seattle Aircraft Certification Office, FAA. However, in Part 1.B. of the Accomplishment Instructions of Boeing Service Bulletin 737-32-1322, Revision 1, dated September 27, 2001, an acceptable method is defined for assigning serial numbers. Therefore, we have changed paragraph (b)(1) in this final rule to include the procedures in the service bulletin as an additional source for assigning serial numbers.

## **Explanation of Editorial Change**

We have changed the service bulletin citation throughout this final rule to exclude the Evaluation Form. The form is intended to be completed by operators and submitted to the manufacturer to provide input on the quality of the service bulletin; however, this AD does not include such a requirement.

## **Conclusion**

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the change previously described. The FAA has determined that this change will neither increase the economic burden on any operator nor increase the scope of the AD.

## **Cost Impact**

There are approximately 3,132 Model 737-100, -200, -200C, -300, -400, and -500 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 1,099 airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 work hour per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$65,940, or \$60 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

## **Regulatory Impact**

The regulations adopted herein will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption ADDRESSES.

## **List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

## **Adoption of the Amendment**

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

## **PART 39–AIRWORTHINESS DIRECTIVES**

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

### **§ 39.13 [Amended]**

2. Section 39.13 is amended by adding the following new airworthiness directive:

# AIRWORTHINESS DIRECTIVE

Aircraft Certification Service  
Washington, DC



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

*We post ADs on the internet at "[www.faa.gov](http://www.faa.gov)"*

The following Airworthiness Directive issued by the Federal Aviation Administration in accordance with the provisions of Title 14 of the Code of Federal Regulations (14 CFR) part 39, applies to an aircraft model of which our records indicate you may be the registered owner. Airworthiness Directives affect aviation safety and are regulations which require immediate attention. You are cautioned that no person may operate an aircraft to which an Airworthiness Directive applies, except in accordance with the requirements of the Airworthiness Directive (reference 14 CFR part 39, subpart 39.3).

**2003-07-12 Boeing:** Amendment 39-13108. Docket 2000-NM-343-AD.

**Applicability:** Model 737-100, -200, -200C, -300, -400, and -500 series airplanes; certificated in any category; line numbers 1 through 3132 inclusive.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (g) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent failure of landing gear parts, which could lead to landing gear collapse, accomplish the following:

## **Inspection of Parts and/or Records**

(a) Within 10 years from the effective date of this AD, examine records and/or landing gear parts per Boeing Service Bulletin 737-32-1322, Revision 1, excluding Evaluation Form, dated September 27, 2001, to determine whether parts have serial numbers and whether the number of flight cycles for each part has been tracked. If landing gear parts have serial numbers, as listed in the service bulletin, and the number of flight cycles has been tracked, no further action is necessary for paragraphs (a), (b), or (c) of this AD.

## **Assignment of Serial Numbers and Flight Cycles**

(b) If any part examined, as mandated in paragraph (a) of this AD, does not have a serial number, within 10 years from the effective date of this AD, do the actions required by paragraphs (b)(1) and (b)(2) of this AD.

(1) Assign a serial number to each part per Part 1.B. of the Accomplishment Instructions of Boeing Service Bulletin 737-32-1322, Revision 1, excluding Evaluation Form, dated September 27, 2001; or per a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA.

(2) Mark the serial number on each part per Boeing Service Bulletin 737-32-1322, Revision 1, excluding Evaluation Form, dated September 27, 2001.

(c) If flight cycles for any part examined, as mandated in paragraph (a) of this AD, have not been tracked, within 10 years from the effective date of this AD, assign a number of lifetime flight cycles to that part per Part 2.B. of the Accomplishment Instructions of Boeing Service Bulletin 737-32-1322, Revision 1, excluding Evaluation Form, dated September 27, 2001.

### **Removal From Service at Life Limit**

(d) When any landing gear part has reached its life-limit number of flight cycles, as described in Part 2.B. of the Accomplishment Instructions of Boeing Service Bulletin 737-32-1322, Revision 1, excluding Evaluation Form, dated September 27, 2001, before further flight, remove that part from service and replace it with a landing gear part having a serial number and a lifetime flight cycle number per the service bulletin.

### **Parts Installation**

(e) As of the effective date of this AD, no person shall install on any airplane a life-limited landing gear part unless it has been assigned a serial number and a lifetime flight cycle number per the requirements of this AD.

(f) As of the effective date of this AD, no person shall install on any airplane a life-limited landing gear part that has reached its life limit of flight cycles, per Boeing Service Bulletin 737-32-1322, Revision 1, excluding Evaluation Form, dated September 27, 2001.

### **Alternative Methods of Compliance**

(g) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Seattle ACO. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

### **Special Flight Permits**

(h) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

### **Incorporation by Reference**

(i) Unless otherwise provided in this AD, the actions shall be done in accordance with Boeing Service Bulletin 737-32-1322, Revision 1, excluding Evaluation Form, dated September 27, 2001. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**Effective Date**

(j) This amendment becomes effective on May 20, 2003.

Issued in Renton, Washington, on April 4, 2003.

Ali Bahrami,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 03-8739 Filed 4-14-03; 8:45 am]

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